

# Exhibit D

**Subject:** Re: Morrison v. Langrick: Correspondence re Plaintiff's Discovery Responses – CONFIDENTIAL  
**Date:** Tuesday, June 18, 2019 at 1:33:21 PM Eastern Daylight Time  
**From:** Andy Phillips  
**To:** hrkaufman Kaufman  
**CC:** Carol Schrager, Shannon Timmann, dan@dasingerlaw.com

Confirmed.

Sent from my iPhone

On Jun 18, 2019, at 1:10 PM, hrkaufman Kaufman <[hkaufman@hrkaufman.com](mailto:hkaufman@hrkaufman.com)> wrote:

Andy, As you already know, my colleague Carol Schrager is available on Monday, June 24 for most of the day. However, I'm only available in the afternoon and would propose a call at 4 PM. Please confirm. Thanks. Henry

Henry R. Kaufman, P.C.  
[60 E.42nd St. - 47th FL](#)  
[New York, NY 10165](#)  
[212-880-0842](#)  
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On Jun 18, 2019, at 9:11 AM, Andy Phillips <[andy@clarelocke.com](mailto:andy@clarelocke.com)> wrote:

Henry,

As I know you are aware, Mr. Langrick served the discovery requests at issue on **February 1**. Plaintiff delayed for months and months on providing her required written responses. As you note, we sent you a deficiency letter on June 12 regarding a limited number of requests – many of which concern common issues (e.g., placing inappropriate temporal limitation on discovery – or concern very simple, discrete issues (e.g., Plaintiff's refusal to provide information regarding communications with a person Plaintiff herself identified as a relevant witness). And as a courtesy, we already delayed for weeks sending that letter because you claimed both you and Carol could not possibly address these discovery disputes while also working on a brief for this case. We expect to receive a response to our letter this week if you choose to respond in writing. You have said you and Carol are available the week of the 24<sup>th</sup> for a call. Great. We are available Monday, June 24, at all times except 1:00-3:00 pm. Please let us know what time works for you that day and I will circulate a dial in.

Andrew C. Phillips | Partner  
**C L A R E   L O C K E   L L P**

10 Prince Street | Alexandria, Virginia 22314  
(202) 628-7404 - direct | (847) 951-7093 - cell  
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**From:** hrkaufman Kaufman <[hkaufman@hrkaufman.com](mailto:hkaufman@hrkaufman.com)>  
**Date:** Monday, June 17, 2019 at 4:13 PM  
**To:** Andy Phillips <[andy@clarelocke.com](mailto:andy@clarelocke.com)>, Carol Schrager <[carolaschrager@gmail.com](mailto:carolaschrager@gmail.com)>  
**Cc:** Shannon Timmann <[shannon@clarelocke.com](mailto:shannon@clarelocke.com)>, "[dan@dasingerlaw.com](mailto:dan@dasingerlaw.com)" <[dan@dasingerlaw.com](mailto:dan@dasingerlaw.com)>  
**Subject:** RE: Morrison v. Langrick: Correspondence re Plaintiff's Discovery Responses – CONFIDENTIAL

Andy,

As I believe you are aware, I've been basically underwater for at least the past couple of weeks, not only in connection with the filing of our reply brief in support of the pending motion to dismiss your counterclaims, last Tuesday, June 11, but in a number of additional cases with significant papers that had to be filed in the New York Court of Appeals, and in the Kings County and Bronx County Supreme Courts, along with a number of court appearances during that period.

Accordingly, it has been impossible to respond to your latest, lengthy analysis of the numerous deficiencies you allege in our discovery positions and responses – a total of five, single-spaced pages dated June 12 and received before 10:30 AM the very morning after our reply brief was filed in this case.

Now that I'm finally coming up for air, I expect to be able to further assess and respond to your latest letter in writing, sometime before the end of this week. I envision that such a response will enable both sides to refine – and hopefully to resolve – open discovery issues.

However, as far as the timing of the next meet and confer, Carol and I will only be available and ready for that meeting sometime during next week, the week of June 24. Please let us know what dates work for you during that week.

Thanks and best regards. Henry

Henry R. Kaufman, PC  
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**From:** Andy Phillips [<mailto:andy@clarelocke.com>]  
**Sent:** Wednesday, June 12, 2019 10:28 AM  
**To:** hrkaufman Kaufman; Carol Schrager  
**Cc:** Shannon Timmann; [dan@dasingerlaw.com](mailto:dan@dasingerlaw.com)  
**Subject:** Morrison v. Langrick: Correspondence re Plaintiff's Discovery Responses

Henry and Carol,

Please see the attached correspondence concerning deficiencies in Plaintiff's written discovery responses. Please let me know your availability to have a meet-and-confer telephone call within the next week.

Andrew C. Phillips | Partner  
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